

Appl. No. 09/682,636
Amtd. Dated April 16, 2003
Reply to Office action of February 4, 2003

Remarks

This case has been carefully reviewed in light of the Office Action dated 4 February 2003, wherein claims 9, 17 and 21 were objected to; paragraph 16, line 3 on page 3 of the disclosure was objected to; claims 1-23 were rejected under 35 U.S.C. § 103 (a) on Faatz (U.S. Pat. No. 4816691, hereinafter Faatz) in view of Moustakas (U.S. Pat. No. 5847397, hereinafter Moustakas), and Bateman et al. (U.S. Pat. No. 5430299, hereinafter Bateman) and Gross et al. (U.S. Pat. No. 6310352, hereinafter Gross).

Claim 20 has been canceled without prejudice, claims 9, 17, 18, 21, and 23 have been amended, and claim 24 has been added. Claims 1-19 and 21-24 are pending in this application. Reconsideration in light of the following remarks is respectfully requested.

Formal Matters

Regarding the objections, Applicant's copy of the filing materials has the subscripts listed in claims 9, 17, and 21, and paragraph 16. Applicant suspects there may have been a problem with the electronic filing and is providing an amendment in response to the objections. Applicant thanks the Examiner for informing Applicant of the lack of subscripts.

Claims fully comply with the requirements of 35 U.S.C. § 103(a)

Applicant respectfully traverses the rejection of claims 1-23 under 35 USC § 103(a) over Faatz in view of Moustakas and further in view of Bateman and Gross.

Applicant respectfully submits that the applied references do not teach, suggest, or disclose (either individually or in combination) the recitations of claims 1, 11 and 18 (which has been amended to include subject matter of canceled claim 20).

Applicant submits that Faatz does not teach a system in which UV photons, to be received by a "wide bandgap semiconductor device" (claims 1, 18 and 22) or "wide bandgap semiconductor means for producing an electric signal as a function of the number of the UV photons" (claim 18), that are produced "in response to receiving radiation from a radiation

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source." The device for evaluation of radio photoluminescent glasses as described by Faatz merely appears to include transducers one of which (9) receives radiations from an auxiliary light source controlled by light from UV radiation source, and another one (13) receives residual radiation from UV source or light issued from an irradiated glass (Faatz: Column 2, lines 64-68, Column 3, lines 1-17).

Furthermore, Faatz describes the transducer (9) as a transducer that responds to light in orange to red wavelength, which has no role in the claimed invention. Another transducer (13) described by Faatz, responds to residual UV light direct from the UV source, and hence a need for a scintillator or an intermediary "means for producing a number of UV photons in response to received radiation" does not arise.

The transducers described by Faatz convert incident radiation to electrical signal for further processing, and there exists no need, in the system described by Faatz, for a device, such as a scintillator, to convert an optical signal to another optical signal and thereafter convert the optical signal to an electrical signal. Therefore, motivation to incorporate a scintillator as described by Bateman does not exist. Any description in Moustakas regarding UV detectors would still fail to overcome this deficiency in the applied references.

Accordingly, Applicant respectfully submits that the claimed invention defines allowable subject matter over the applied art. Withdrawal of the rejections is respectfully requested, and allowance of the claims 1, 11 and 18 is respectfully solicited.

Claims 2-10 depend directly or indirectly from claim 1. Applicant respectfully submits that claim 1 is patentably distinct from the applied references for the reasons discussed above and that claims 2-10, are similarly allowable over the applied references.

Claims 12-17 depend directly from claim 11. Applicant respectfully submits that claim 11 is patentably distinct from the applied references for the reasons discussed above and that claims 12-17, are similarly allowable over the applied references.

Claims 19 and 21-23 depend directly or indirectly from claim 18. Applicant respectfully submits that claim 18 is patentably distinct from the applied references for the reasons discussed above and that claims 19 and 21-23 are similarly allowable over the applied references.

Further, with respect to amended claim 23, Gross merely describes a medical instrument that "combines the advantages of imaging processes based on physiological parameters, e.g. scintigraphy/PET with those of imaging processes based on structural

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information, as for example MR tomography." This does not change the present analysis according to which claim 18 is believed to be in compliance with the requirements of U.S.C. § 103(a). For purposes of clarity, claim 23 has additionally been amended to include some of the subject matter in Specification paragraph 38 and in FIG. 6.

New claim 24 includes the portion of pre-amended claim 23 relating to oil exploration and depends directly from claim 18. Applicant respectfully submits that claim 18 is patentably distinct from the applied references for the reasons discussed above and that claim 24 is similarly allowable over the applied references.

Summary

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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